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UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

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JOHN FULLER,

Plaintiff,

-against-

THE CITY OF NEW YORK, et al.,

Defendants,

-----X

USDS SDNY DOCUMENT ELECTRONICALLY FILED DATE FILED:

07 Civ. 11462 (PKC)

STIPULATION AND ORDER OF DISMISSAL

It having been reported to this Court that the above entitled action has been settled,

It is, on this  $11^{TH}$  day of June, 2008

ORDERED that the above captioned matter be, and the same hereby is, discontinued with prejudice and without costs provided that within ninety (90) days of the date of this Order, the action may be reinstated for good cause shown.

Dated: New York, New York June 11, 2008

CONSENTED TO:

Cardinale & Marinelli

By: Robert Marinelli, Esq.

Attorney for Plaintiff

New York June 2008 Dated:

City of New York Law Department

Gabylel Paul Harvis, Esq. Attorney for Defendants

SO ORDERED:

Hon. P. Kevin Castel

United States District Judge